

DOCKET NO: 219656US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF	: DATE ALLOWED: 04/20/06
KAZUNORI KOBAYASHI	: EXAMINER: WALLERSON, M. E.
SERIAL NO: 10/075,458	:
FILED: FEBRUARY 15, 2002	: GROUP ART UNIT: 2626
FOR: DATA CONTROL APPARATUS, DATA CONTROL METHOD THEREOF AND IMAGE FORMING APPARATUS	:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

The Examiner's statement of "REASONS FOR ALLOWANCE," included as Part III on page 2 attached to the "Notice of Allowability" (PTOL-37) that is in turn attached to the "Notice of Allowance and Fee(s) Due" mailed April 20, 2006, is mistaken in referring to the subject matter of all the allowed independent claims as including "similar features" to the referenced "means for" features of independent data control apparatus Claim 1.

For example, the "means for" features of independent data control apparatus Claim 1 are not the subject matter of independent data control method Claims 5 and 24 (that recite steps, not apparatus limitations per se). They are also not the same subject matter as featured in independent data control apparatus Claims 3 and 16 (independent Claim 16 does not even recite "means for" limitations), and not the same subject matter as featured in independent image forming apparatus Claims 20 and 22 that do not recite "means for" limitations.

Accordingly, the above-noted statement of "REASONS FOR ALLOWANCE" is clearly in error as to independent Claims 3, 5, 16, 29, 22, and 24 and should be modified to indicate the actual subject matter included in these claims.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



---

Gregory J. Maier  
Attorney of Record  
Registration No. 25,599

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

Raymond F. Cardillo, Jr.  
Registration No. 40,440

I:\ATTY\RFC\21\219656.COMMENTSONREASONS.DOC

Docket No. 219656US2

IN RE APPLICATION OF: Kazunori KOBAYASHI

SERIAL NO: 10/075,458

FILED: February 15, 2002

FOR: DATA CONTROL APPARATUS, DATA CONTROL METHOD THEREOF AND IMAGE FORMING APPARATUS



COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment in the above-identified application.


- ☒ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Comments on Statement of Reasons for Allowance

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	42	MINUS	42	0	x \$50 =	\$0.00
INDEPENDENT	7	MINUS	7	0	x \$200 =	\$0.00
APPLICATION SIZE		MINUS	100	0 (each addtl. 50 sheets)	x \$250 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$360 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		TOTAL				\$0.00

- ☐ A check in the amount of **\$0.00** is attached.
- ☐ Credit card payment form is attached to cover the fees in the amount of **\$0.00**
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Gregory J. Maier

Registration No. 25,599

Attorney of Record

Raymond F. Cardillo, Jr.

Registration No. 40,440

Customer Number

**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 05/03)